

# BENEFITS of reporting

- Assists the Texas Workers' Compensation Commission and Texas Workforce Commission with detecting fraudulent claims and preventing overpayments
- Lowers business taxes by returning overpayments of unemployment benefits to the Unemployment Compensation Trust Fund
- Reduces government spending on public assistance
- Helps the Office of the Attorney General with collecting court-ordered child support for Texas families and children

NEED MORE INFORMATION  
about employer  
new hire reporting?

#### ON THE INTERNET

[www.employer.texasattorneygeneral.gov](http://www.employer.texasattorneygeneral.gov)

#### BY CALLING THE EMPLOYER CALL CENTER

(800) 850-6442

#### BY EMAIL

[employer.newhire@texasattorneygeneral.gov](mailto:employer.newhire@texasattorneygeneral.gov)

#### BY U.S. MAIL

ENHR Operations

P.O. Box 149224

Austin, Texas 78741-9224

#### NEW HIRE REPORTING

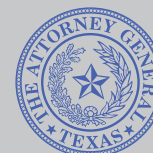
It's not just the law... It's good business!

TEXAS EMPLOYER  
NEW HIRE REPORTING

## PARTNERING together



THE OFFICE OF THE ATTORNEY GENERAL  
& Texas employers



# NEW HIRE REPORTING

is different from quarterly  
wage reporting

## WHAT IS new hire reporting?

New Hire Reporting is mandated by federal law and requires employers to report new hires and rehires. Information received from employers is entered into a statewide registry and then transmitted to the National Directory of New Hires.

## WHAT IS a new hire?

Federal law states that an “employer,” for new hire reporting purposes, is the same as for federal income tax purposes (as defined by Section 3401(d) of the Internal Revenue Code of 1986) and includes any governmental entity or labor organization. At a minimum, in any case where an employer is required to have an employee complete a W-4 form, the employer must meet new hire reporting requirements. The law defines a newly hired employee as an employee who:

- Has not previously been employed by the employer, or
- Was previously employed by the employer, but has been separated from such prior employment for at least 60 consecutive days.

## WHAT DO I report?

Employers have to report seven basic items:

- Employer name
- Payroll mailing address
- Federal Employer Identification Number (FEIN)
- Employee name
- Employee address
- Employee SSN
- Employee date of hire

## HOW OFTEN do I report?

New hires must be reported to the OAG within 20 calendar days of the hire date, if reported by non-electronic means. If reported electronically, new hires must be reported by two monthly transmissions (if necessary), not less than 12 days nor more than 16 days apart.

## HOW DO I report?

There are several ways to report new hire information.

Choose the option that is easiest for your company:

- Internet: [www.employer.texasattorneygeneral.gov](http://www.employer.texasattorneygeneral.gov)
- Mail a paper copy: (W-4,\* printed list or state form)  
ENHR Operations  
P.O. Box 149224  
Austin, Texas 78741-9224
- Telephone: (800) 850-6442
- Fax: (800) 732-5015

\*Date of hire must be written at bottom of Form W-4.

When reporting new hires online, employers are encouraged to report optional data, such as date of birth; salary/wages; pay frequency; state of hire; state employer identification number (SEIN); and employer contact name, phone number and fax number.

This information helps Texas Workforce Commission (TWC) detect fraudulent claims and overpayments. It also helps the OAG withhold court-ordered child support from wages.

## MULTI-STATE employers

Employers who have employees working in more than one state have the option of reporting all new hires to a single state.

A company that decides to report all new hire information to one state must report electronically. Employers must notify the federal Office of Child Support Enforcement of the state to which they choose to report new hires.

The notification form can be accessed by visiting the multistate section of New Hire Reporting on the OAG Employer website.

## THIRD-PARTY agents

Employers may hire third-party agents to take over their reporting responsibilities. However, these agents must adhere to the same standards as employers. Third-party agents must obtain written authorization from the employer and provide it to the Office of the Attorney General. (Visit the Employer Website at [www.employer.texasattorneygeneral.gov](http://www.employer.texasattorneygeneral.gov) for information and forms.) Employers are liable for a third-party agent's failure to report or comply with reporting requirements.